

REMARKS

Claims 1-15, 17-22, and 27-33 are pending in this application.

Claims 16 and 23-26 have been canceled.

The amendment to Claims 17 and 18 have been made merely to change the dependency from canceled Claim 16 to Claim 19.

Claims 30-33 have been added. New Claims 30-32 are supported by page 8, line 11, through page 9, line 5. New Claim 33 is supported by Figure 9. It is respectfully submitted that no new matter has been added.

Claim Rejections under 35 U.S.C. § 112

The Patent Office has rejected Claims 5-7, 12, and 22 as being indefinite. The Patent Office asserted "Claims 5, 6, and 7 are confusing and do not make sense. Since a display of one or more representations have been configured and displayed as in claim 1 and the user interacts with the already displayed of the one or more representations as in claim 2, it does not make sense to store the data representative of the monitored interaction (with the display of one or more representations) in order to configure to display again the selected one of the representations." Applicant submits that the scope of these Claims could be determined by one of ordinary skill in the art. MPEP § 706.03(d), page 700-65, rev. 1, February 2003, left column, lines 4-8, pertinent to the form paragraph 7.34.01 used by the Patent Office, states "If the scope of the claimed subject matter can be determined by one having ordinary skill in the art, a rejection using this form paragraph would not be appropriate. See §§ 2172-2174 for guidance." Figure 7 of Applicant's drawings shows the chronological order of steps in the process. In step 706, the display is configured of representations of user interface functions. Later, in step 710, the user interacts with the displayed representations. Later, in step 720, received user interface data is compared with a user interface template and monitored interaction data. Then, in step 722, the display is configured based upon the monitored interaction data and user interface data. Applicant's specification, page 8, lines 13-15, teaches "A user's interaction with representations displayed on an information appliance may be utilized to configure subsequent user interfaces targeted to the user's behavior." Thus, it

is believed that the scope of the Claims is clear and these Claims are not indefinite. It is respectfully requested that the Patent Office withdraw the rejection under 35 U.S.C. 112, Second Paragraph.

Claim Rejections under 35 U.S.C. § 102

The Patent Office has rejected Claims 1-4, 8-11, 13-21, and 23-29 under 35 U.S.C. § 102(e) as being anticipated by Humpleman et al., U.S. Patent No. 6,288,716.

A claim is anticipated by a reference if each and every element of the claim is taught by the reference or the element is inherent. MPEP § 2131.

The present invention relates to a method and system for configuring and loading a user interface. The method for configuring the user interface includes receiving user interface data from a remote device describing one or more user interface functions on the remote device. This user interface data is compared with a user interface template. A display of one or more representations is configured based on the user interface data, with each representation corresponding to one of the user interface functions on the remote device. The user is then able to interact with the display of the representations in order to utilize the user interface functions available on the remote device.

Claims 1-15, 17-22, and 27-32 recite "comparing the user interface data with a user interface template." Humpleman does not teach this limitation. The Patent Office has asserted that this limitation is taught by Humpleman in column 7, lines 7-20 and/or lines 48-58. Humpleman discloses a browser based digital television that receives HTML files (col. 7, lines 7-9) that enable the browser based digital TV to graphically display control and command information (col. 7, lines 11-13), the browser based digital TV can provide a command and control interface (col. 7, lines 13-20), and that a device connected to the home network may graphically display information using a graphical user interface on its screen (col. 7, lines 48-58). There is no disclosure in the cited lines of a step in which the user interface data is compared with a user interface template. This limitation is not inherent because the information appliance/ receiving device does not need to have a user interface template, but may contain an algorithm that determines location of graphical objects, may receive positional data from the remote

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devices/sending devices, or the like. Thus, Claims 1-15, 17-22, and 27-32 are allowable over Humpleman.

Claims 5-7, 12, and 22 recite monitoring the interaction of the user with the representations of the loaded user interface and configuring representations on the user interface based on the monitored interaction data. Humpleman does not disclose this limitation. The Patent Office has not addressed the merits of Claims 5-7, 12, and 22. Thus, Claims 5-7, 12, and 22 are allowable over Humpleman for this additional reason.

Newly added Claims 30-33 are also believed to be allowable over the prior art of record.

CONCLUSION

In light of the foregoing, amendments and supporting arguments, reconsideration of all pending claims is requested, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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